

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RODNEY L. GARROTT,

Plaintiff,

V.

PAT GLEBE,

Defendant.

CASE NO. C13-887 BHS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”)

of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 17), and

Plaintiff Rodney L. Garrott's second motion for extension of time to file objections to the

R&R (Dkt. 20).

On September 16, 2013, Judge Strombom issued the R&R recommending that the

Court deny Garrott's petition for writ of habeas corpus. Dkt. 17. Judge Strombom found

that Garrott's first ground for relief was time barred and his second ground for relief fails

on the merits. *Id.*

On October 11, 2013, Garrott filed a motion for enlargement of time to file

objections. Dkt. 18. On November 4, 2013, the Court granted the motion and renoted

1 the R&R for consideration on the Court's November 29, 2013 calendar. Dkt. 19. On
2 December 3, 2013, Garrott filed a second motion for extension of time. Dkt. 20.

3 On January 3, 2014, Garrott filed a document entitled a staff report dated April 27,
4 2011. Dkt. 21 at 3. This report does not show that Judge Strombom's conclusion as to
5 either ground for relief was in error. Therefore, the Court having considered the R&R,
6 Garrott's objections, and the remaining record, does hereby find and order as follows:

- 7 (1) Garrott's motion for extension of time is **GRANTED**;
- 8 (2) The R&R is **ADOPTED**;
- 9 (3) Garrott's petition is **DENIED**;
- 10 (4) The Court **DECLINES** to issue a Certificate of Appealability; and
- 11 (5) This action is **DISMISSED**.

12 Dated this 13th day of January, 2014.

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17 BENJAMIN H. SETTLE
18 United States District Judge
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